



**City Council
Special Called Meeting
Tuesday, May 30, 2006
4:00 P.M.**

The Special Called meeting of the Trinity City Council was held on Tuesday, May 30 2006 at Trinity City Hall.

MEMBERS PRESENT: Mayor Frances Andrews, Council members Karen Bridges, Phil Brown, Barbara Ewings, Bob Labonte, Barry Lambeth, Dwight Meredith, Edith Reddick, and Miles Talbert.

MEMBERS ABSENT: Council member Brown

OTHERS PRESENT: City Manager Ann Bailie; City Attorney, Bob Wilhoit; City Planning/Zoning Administrator, Adam Stumb; City Clerk/FO, Debbie Hinson; City Engineer Randy McNeill; Members of the Press; and other interested parties.

ITEM 1. Welcome Guest and Visitors

Mayor Andrews welcomed and thanked all persons in attendance and for their interest in the City.

ITEM II. Invocation

The invocation was given by Council member Lambeth.

Pledge of Allegiance

Mayor Andrews led the Pledge of Allegiance.

ITEM 3. CALL TO ORDER

Mayor Andrews called the May 30, 2006 Special Called Meeting of the Trinity City Council to order at 4:07 pm.

ITEM IV. Code of Ordinance

Manager Bailie advised Council that the copies of the Ordinances handed out at the May 9, 2006 Meeting were copies of the Ordinances that the City had already passed. This is what we have received from the codification. We need to review these and adopt what we would like to adopt. They also sent along other Ordinances that we could adopt if we desire to do so. It was Manager Bailie's suggestion to review the Ordinances already enacted by the City and review the new ones later if we choose to do so.

During review, the following items were changed:

Pg 14; Section F: Council members discussed the Public Safety Committee. After discussion between Manager Bailie and Council Members concerning this section, Manager Bailie suggested that Section 32.02 be deleted at this time and that Trinity forms a committee at a later date. Mayor Andrews, Council members, and Manager Bailie discussed the need to form a committee as well as how this committee could be formed. Mayor Andrews suggested that staff make contact with Randolph County to get a copy of their plan.

Motion to delete Section 32.02 Emergency Management Basic Plan by Council member Reddick, seconded by Council member Talbert and approved unanimously by all Council members present.

Pg 30- Public Works Section 50.063 (c)

After discussion ***motion by Council member Talbert to change this item to read as listed, seconded by Council member Lambeth and approved unanimously by all Council members present.***

The city may reject any application for service when the applicant was delinquent in payment of bills incurred for service previously supplied at any city location. The city shall not be required to render service to any applicant where the sewer

Pg 36 Section 50.073 (3)

After discussion concerning this item, ***motion by Council member Bridges to change the word will in the last sentence of this section to may, seconded by Council member Ewings and approved unanimously by all Council members present.***

Manager Bailie advised Council that on page 36 the Council needs to add letter C under extensions to mains and services to comply with Davidson Water Policy concerning multi-metering as adopted by Council in December 05.

Motion by Council member Bridges to include the recommendation of Manager Bailie to add letter C under extensions to mains and services to comply with Davidson Water Policy concerning multi-metering as adopted by Council in December 05, seconded by Council member Lambeth and approved unanimously by all Council members present.

The following changes were recommended by Manager Bailie:

Manager Bailie recommended that Mr. McNeill read the Sewer Use Ordinance for accuracy.

Pg 28 Public Works Section 50.060

(a) Service Connection Required- The wording in this item be changed to read Pursuant to the authorization of G.S. 160A-317, the owners of improved real property requiring sanitary sewer service located within the city and abutting or within 200 feet of public sewer collection lines -----

Pg 31 Sewer Assessment Fee 50.067 (D)

Manager Bailie discussed with Council their desire to establish a separate sewer reserve fund. After discussion concerning this and recommendation from the engineer, it was the consensus of Council for Manager Bailie to establish a fund to meet this requirement.

Pg 32 E- Change this to read : ***Sewer assessment fees shall be waived for owners of existing industrial commercial or residential facilities with existing private sewer systems, upon abandonment of the existing private sewer system and connection to the city's public sewer system.***

Manager Bailie also recommended that in places where Davidson Water was listed it should be changed to Davidson Water Incorporated.

Pg 32-C- 50.068 Sewer Service Charges

(c) Change the first sentence to read: Any commercial or industrial establishment which is connected to the public sewer system shall also receive portable water from Davidson Water Incorporated or another public or private water supply as approved by the city.

Pg 35 50.072 Consumers Responsibility

(b) Change to read as follows: All property owners of improved real property located within the city and abutting or within 200 feet of a public sewer line which can be served by a gravity flow are required to connect their premises to the sewer line within 6 months of the sewer line construction.

Pg 35 50.072

(4) Manager Bailie advised Council that the 15,000 gallons listed in this section may be changed in the future to a smaller amount but not at this time.

Pg 38 Suspension of Service

Manager Bailie advised Council members that she would review the City of Trinity's agreement with Davidson Water since they were enforcing suspension of service. I will review this and advise you if changes are needed.

Pg 9 Animal Control 90.00 Penalties and Fines

*(c) add the appropriate GS in the first sentence: In addition to or in lieu of any penalties as specified in North Carolina General Statutes **GS 14-4** -----*

Pg 22 92.09 Exceptions to Prior Notice Requirements

*Delete the last 2 words code sections and replace with wording **this code**.*

Pg 24 92.13 Sale and Disposition of Unclaimed Vehicle

*Correct the GS in the last line to read **G.S. Chapter 44A, Article 1**.*

Page 3 Chapter 150 General Regulations

Manager Bailie advised Council that staff had planned to adopt by reference the Land Use Ordinances. They have included in this document adopted by reference a Subdivision Ordinance and a Zoning Ordinance. We had also intended that our Flood Control Ordinance and our Watershed Ordinance be adopted by reference as well.

*It was the recommendation of Manager Bailie to **add the Flood Control Ordinance and Watershed Ordinance to this list**.*

This concluded Manager Bailie's comments and changes on this item. At this time Mayor Andrews called for a motion to adopt all the changes proposed by Manager Bailie.

Council member Ewings move to motion to approve the changes proposed by Manager Bailie, seconded by Council member Bridges, and approved unanimously by all Council members.

There was a brief discussion concerning the streets and sidewalks. Manager Bailie advised Council that she would like to have Mr. Stumb review the items listed in this document with our current Ordinances. She also advised Council members that she felt these topics should be in the Land Use Ordinance rather than in this document.

There was further discussion between Manager Bailie, Attorney Wilhoit, and Council members concerning if this item needed to be added to the June Regular Agenda. After further discussion it was determined that this item would be placed on the Regular Agenda and Public Hearing Advertisement published.

ITEM V. Budget

Mayor Andrews opened the review of the Proposed Budget and called for questions and discussion from Council members.

Manager Bailie provided Council with a revised copy of the budget for the Sewer Projects. Manger Bailie reviewed the following changes with Council.

Page 1 (Revenues)

The largest change is the payment to Thomasville for the Wastewater Treatment Plant begins a year earlier than was originally shown in the original projects budget. The first payment will be due May 01, 2008 and will be included in the budget for next year.

The General Fund appropriation for the Darr Road CDBG Project has changed from \$770,000 to \$790,000. This will give the Darr Road Project a total Budget of \$1,540,000.

Mr. McNeill did include some inflation costs for Phases 3, 4, and 5.

Page 3 (Expenditures)

Darr Road CDBG Project – contingencies from \$41,000 to \$61,000

There was discussion concerning debt payments that may be associated with this project. Manager Bailie advised Council that the money for this project had already been reserved and there would be no debt payments associated with this project.

Page 2 Capital Reserve for Sewer Extensions Phases 2-5

This is a snapshot of these projects and does not include any monies that might be borrowed for any of the projects. This represents what we have received in Sales Tax and the projected amount that we will receive as well as the costs associated for Budget Years. This illustrates for 2006-2007 based on Revenues collected and expenditures paid the City would have a \$1,442,158 deficit. This amount will be paid by reserves. This is just an illustration for Council to see projections for this project.

This completed the revisions to the Sewer Projects.

The following items were reviewed in the Proposed Budget for 06-07.

Law Enforcement

Council member Labonte discussed the program that was budgeted with Randolph County. He discussed whether this had been approved by the County Commissioners or did this still need to be done. Mayor Andrews advised Council that Sheriff Hurley had already had this approved by the Commissioners.

There was discussion between Manager Bailie, Mayor Andrews, and Council members concerning what these budgeted dollars covered, if this would have any affect on the current amount of coverage provided to the citizens by the Sheriff's Office, and the city's role in determining the hours and duties of the dedicated officer.

Manager Bailie advised Council members that there was no charge to the City at this time for services provided to Trinity residents by the Randolph County Sheriff's Office. The dollars for this service are covered by the residents' taxes paid to the County. The additional cost would be to place a deputy specifically in the City of Trinity for 8 hours per day 7 days per week. Council discussed the times that the deputy would be needed. Mayor Andrews advised Council members that the County would furnish a report to the City that indicated the times that crime occurred in the city that would assist Council in determining the times that the deputy would be needed.

After further discussion, Council asked that Manager Bailie verify that this new position would not affect the current coverage provided by the Sheriff's department and would just be additional coverage to that currently provided in Trinity.

New Employee

Council member Meredith asked if the new employee was included in the Proposed Budget and what was their function.

Manager Bailie advised Council the Proposed Budget included one (1) additional full time person coming in January. Currently this position will be primarily for the Planning/Zoning. This department handles Code Enforcement, City Haul, and everything. Mr. Stumb is doing it all. This position will serve in the Public Works and Planning/Zoning Department. I see the need for help in that area whether it is a clerk to

fill out zoning requests or someone who can help us with research and help the City move forward with the entire Land Development Process.

Design Fee

Council member Talbert asked where the \$60,000 design fee was located. Manager Bailie advised Council members this was listed under Planning/Zoning Professional Services. This line item consists of \$12,000 for Randolph County to provide aerials and \$40,000 to continue planning for the Land Development Plan implementation. It could be a site plan for this property or a small area plan for some other area of the city.

There was further discussion between Manager Bailie and Council members concerning \$50,000 included in the Proposed Budget for a building. Manager Bailie advised members this money was separate from the \$40,000 included in the Proposed Budget for planning. The \$50,000 is to begin saving for a new City Hall Building. The \$40,000 is for a master plan or small area plan.

There was further discussion between Council members and their concerns about a tax increase and how this may be perceived by the residents. Council member Bridges discussed what the Budget Committee considered when reviewing the proposed increase. The Committee felt that the increase was needed to break even in the General Fund. The costs of the projects are skyrocketing. Each year a substantial amount of money has been taken from the General Fund (Fund Balance). Manager Bailie advised Council that the decision to set aside 75% of the City sales tax monies affected the net increase in the General Fund. With this proposed Budget the General Fund will only break even. We are still taking out almost \$90,000 to support the sewer fund. If you adopt a Budget that is balanced in this manner the net result is decreasing the GF fund Balance in the amount of \$90,000. This can not continue and will affect our bond rating in future years as well as our ability to pay for sewer extensions. Property Tax revenues can not be used directly in the sewer fund. This leaves us using our Fund Balance Reserves to support our sewer operations. Revenues generated by the tax increase will help fund proposed increases in law enforcement for the city, partner with Randolph County in upgrading the recycling site, land development planning including plans for greenways, and funding for a future city hall building.

Council member Reddick discussed the Budget Committee decision to propose the .05 tax rate increase. She discussed problems that had resulted in neighboring municipalities because this issue was not addressed. She discussed the County Tax and School Tax that she and other residents paid and the services received for this tax. Council member Bridges discussed the Cable Franchise and the possibility of the City losing approximately \$30,000 in revenue if this were discontinued. There was further discussion among Council members concerning how growth would dictate that this issue be addressed for future planning as discussed by Manager Bailie. After further discussion it was the consensus of Council members that the proposed tax rate of .10 be left in the Proposed Budget.

With no other discussion or changes, the Proposed Budget was accepted for presentation and Public Hearing as presented and discussed with Council at this meeting.

ITEM VI. Annexation Update (if time permits)

Manager Bailie advised Council this update did not include the school property only the other property. The property owner and the school are still in negotiations at this time.

The group with an option to purchase the property being discussed has done a marketing study to see what type of homes would sell in this area. They are going to come in to the office on Friday to explain the results of this study to us. They have not given me any indication on how this study turned out.

Next Wednesday their group is planning to come and discuss what they would like to do with this property and the procedure for annexation to the City. They are eager to file an annexation petition. I am in the process of developing an Annexation Petition based on the City of High Point Annexation Procedures. They are aware of this and know what type of information that we will be requiring from them such as what will the value of the development for this property total, will it be developed in Phases and if so how

many Phases, and what will the value be after each Phase is completed. This would be contiguous annexation.

Manager Bailie advised Council that she was working on the development of Annexation Procedures that the City may want to follow in considering annexation. Part of this will be fees and process. It is Council's decision whether to annex properties or deny the annexation, however, I would like for Council to have all of the information possible that may help you make this decision.

There was discussion concerning whether Council desired to accept proposed annexations until after the school property was settled. Manager Bailie advised Council they could make that decision, but she was bound to provide this group with an Annexation Petition to file.

Attorney Wilhoit discussed the fact that this was a voluntary petition and the persons wishing to be annexed could petition. Council will then determine whether they want to accept the annexation request.

There was discussion between Council members and Manager Bailie concerning other options that may be available if Council did not wish to annex this property. Manager Bailie advised Council members that the City could provide sewer service to this area at a greater rate (double rates) for service outside the City, but that it is often preferable to accept voluntary annexation requests because it increases the tax base.

Manager Bailie advised Council that if this development happened and sewer was installed it will make sewer available to approximately 150 city residents. It is not in any of the city plans, however this would make serviceable whereas it currently is not.

Mr. McNeill discussed the Phase 2 project that would include some components that would not be needed as currently planned if this development were to happen. We plan to bid this project both ways with the pump station and force main as separate items to illustrate the costs. If the City does not make the decision to take it then you do not allow the contractor to order the materials and then decide to take this he may ask for extra money because he could not purchase his materials.

There was further discussion concerning the status of the school project and the need to consider the needs of the school first. Mr. McNeill advised Council that the owner of the future school property will also be petitioning the City for annexation of his property as well.

ITEM VII. Adjournment

With no other business to discuss, *motion to adjourn the May 30, 2006 Special Called Meeting by Council member Ewings, seconded by Council member Meredith and approved unanimously by all Council members present.*

These minutes were approved by the Trinity City Council at their Regularly Scheduled Meeting held on June 20, 2006 upon motion by Council member Brown, seconded by Council member Ewings, and approved unanimously by all Council members present.